

REMARKS

Status of Claims:

Claims 1-15 are present for examination.

Section 101 Rejection:

Claims 14-15 stand rejected under 35 U.S.C. § 101 as being drawn to non-statutory subject matter.

Applicant has amended claims 14 and 15 to make it clear that these claims recite a program storage medium for storing a computer program. This language is believed to be in the proper format for defining a program storage medium storing a program which is executable on a computer. Thus, applicant's claims are believed to be drawn to statutory subject matter within the provisions of 35 U.S.C. § 101. It is thus submitted that the § 101 rejection should be withdrawn.

Prior Art Rejection:

Claims 1, 3-4, 6-8, 10-11 and 13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Murata (5,987,402) in view of Franz (6,356,865). Further, claims 2, 5, 9 and 12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Murata in view of Franz and further in view of Fushimoto (5,742,505).

The Examiner's rejections are respectfully traversed.

The examiner asserts that Murata disclosed the recited information converter. However, Murata discloses a translation button (step 310 of Fig. 4) that is embedded in a source document and is used to request a translation of the text located after the button (column 9, lines 27-46). The translation button is tagged with a target language and a site where the translation is stored. A source text button is tagged with a source language and a site where the source text is stored. The source text button is used to display an original text but in the use of this button, a translation is not executed. These elements do not constitute a retranslation instruction part.

In contrast, in accordance with applicant's claim 1, for example, a retranslation instruction part is synthesized (assembled) with a translation result, NOT with an original text. The retranslation instruction part is used to again obtain an original document and translate it. This tag indicates a site where the original text is stored and the tag is used to execute a translation of the original document. The tag is not used to cause the display of the origin document (as in Murata). Thus, Murata does not disclose the retranslation instruction part.

It may thus be seen that the tags in Murata is easily distinguishable from the tags in applicant's claims. For the above reasons, the Murata reference does not disclose the recited information converter (including the recited retranslation instruction input part), and indeed this limitation is also not found in the secondary references of Franz and or Fushimoto. It is thus submitted that the PTO has not made out a *prima facie* case of obviousness under the provisions of 35 U.S.C. § 103, and thus applicants claims are patentable over the prior art.

Further, the Examiner recognizes the shortfall of the Murata reference in that it fails to disclose the information synthesizer as specifically recited in the last paragraph of applicant's claim 1 and the corresponding analog method step of "synthesizing" as recited in the last paragraph of applicant's claim 8. In order to supply the missing teachings of Murata, the Examiner applies Franz and, in particular, the speech synthesis step 1216 of Fig. 12.

In accordance with applicant's claims, an information synthesizer synthesizes a translation result, a retranslation instruction part and a converted non-translation object part. As an example, the information synthesizer produces a HTML document as shown in applicant's Fig. 12 and has nothing to do with the synthesis of human speech or words.

In contrast, Franz discloses a speech synthesizer at step 1261 and the speech synthesis is generally explained as computer-controlled mechanical synthesis of human speech. Since the synthesizer in applicant's claims does not synthesize human speech or words, the synthesis in applicant's claims is seen to be easily distinguishable from the teachings of Franz.

In order to remove any confusion, applicant has made it clear that the synthesis taking place in the claims is an “assembling” or a combining of the elements recited. This claim changes thus clearly distinguish over Franz.

In accordance with applicant’s claim 1, for example, the information synthesizer assembles the translation result of the translation, the translation instruction part produced by the information converter and the non-translation object part sent from the information separator and sends the assembled results to the terminal. Franz does not disclose a retranslation instruction part nor a non-translation object part and, thus, cannot disclose assembling these two parts with the translation result as recited in applicant’s claims. As such, Franz does not supply the missing ingredients not found in the primary reference of Murata. As such, the Patent and Trademark Office has not made out a *prima facie* case of obviousness under the provisions of 35 U.S.C. § 103.

The secondary reference of Fushimoto was cited for disclosing a list of source languages and target languages. It is clear that Fushimoto likewise does not disclose the ingredients missing from Franz and Murata. Thus, again, the Patent and Trademark Office has not made out a *prima facie* case of obviousness under the provisions of 35 U.S.C. § 103.

Applicant’s dependent claims are deemed to be patentable at least by virtue of their dependency on the independent claims from which they depend.

Conclusions:

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or

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even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

By 

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